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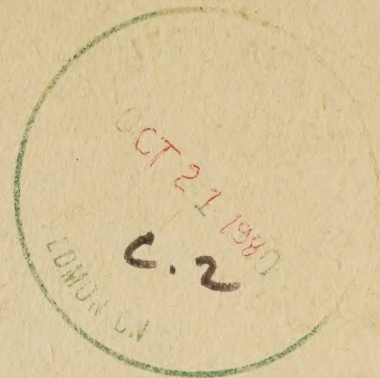
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Report of the Select Committee of the Le
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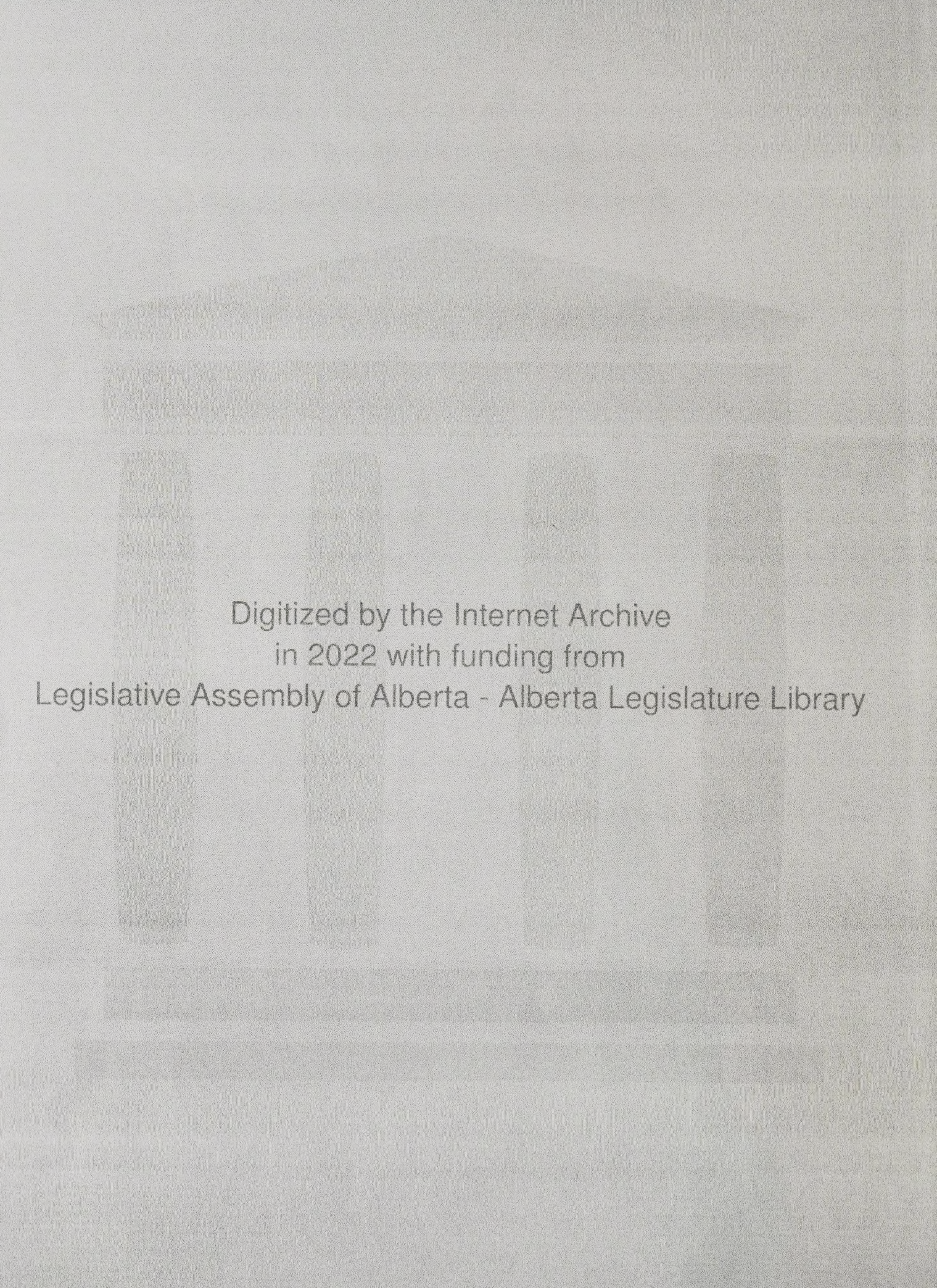
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REPORT OF THE SELECT COMMITTEE OF THE LEGISLATIVE ASSEMBLY

WORKERS' COMPENSATION

APRIL, 1980



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April, 1980

To the Honorable Edward Broadbent,
Speaker of the Legislative Assembly
of the Province of Alberta

The Select Committee of the Assembly, established on June 18, 1979,
hereby submits its report and recommendations for consideration to
the Legislative Assembly.

**REPORT OF THE SELECT COMMITTEE
OF THE LEGISLATIVE ASSEMBLY**

WORKERS' COMPENSATION

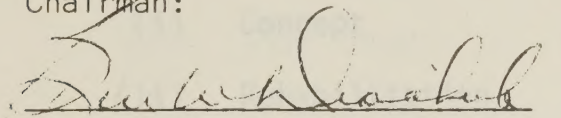
APRIL, 1980

April, 1980

To the Honourable Gerard Amerongen,
Speaker of the Legislative Assembly
of the Province of Alberta

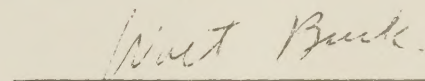
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the Legislative Assembly.

Chairman:



Bill W. Diachuk, M.L.A.,
Edmonton-Beverly Constituency.

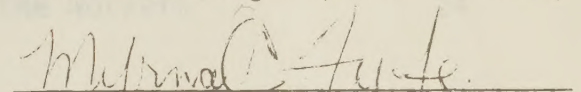
Members:



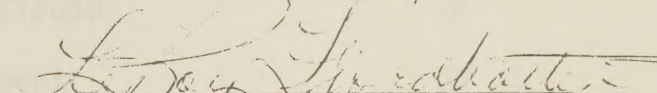
W. A. Buck, M.L.A.,
Clover Bar Constituency.



R. D. B. Cook, M.L.A.,
Edmonton-Glengarry Constituency.



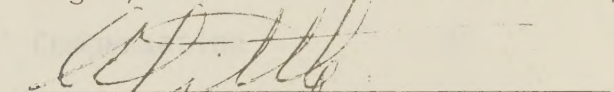
Myrna C. Fyfe, M.L.A.,
St. Albert Constituency.



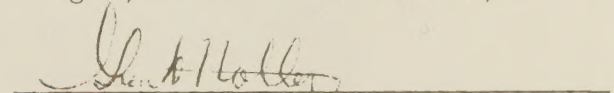
E. Leroy Fjordbotten, M.L.A.,
Macleod Constituency.



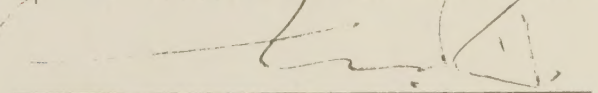
Stanley Kushner, M.L.A.,
Calgary-Mountain View Constituency.



Andrew Little, M.L.A.,
Calgary-McCall Constituency.



W. G. Notley, M.L.A.,
Spirit River/Fairview Constituency.



Ian C. Reid, M.L.A.,
Edson Constituency.

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PART I

(1) RESOLUTION ESTABLISHING THE SELECT COMMITTEE

Moved by Honourable Mr. Crawford:

Be it resolved that,

- (1) A Select Committee of this Assembly be established consisting of the following members:

Chairman: Honourable Bill W. Diachuk

Members: A. Little
I. Reid
M. Fyfe
S. Kushner
L. Fjordbotten
R. Cook
Robert C. Clark
W. Grant Notley

with instructions:

- (a) to receive representations and recommendations as to the operations of the Workers' Compensation Act; and
- (b) that the Committee so appointed do meet for the purposes of the aforesaid at the call of the Chairman at such times and places as may from time to time be designated by him; and
- (c) that the said Committee do report to this Assembly at the next ensuing Session of this Assembly, the substance of representations and recommendations made to the Committee together with such recommendations relating to the administration of the said Act as to the said Committee seems proper.

- (2) Members of the Committee shall receive remuneration in accordance with Section 59 (1) of the Legislative Assembly Act.
- (3) Reasonable disbursements by the Committee, for clerical assistance, equipment and supplies, advertising, rent and other facilities required for the effective conduct of its responsibilities, shall be paid, subject to the approval of the Chairman.

To which the following amendment was moved by Honourable Mr. Crawford:

Re: "Members":

to substitute Dr. W. Buck's name for Robert C. Clark's name.

The question being put, the motion as amended was agreed to.

(ii)

INTRODUCTION

The Committee commenced meetings on August 16, 1979. Letters were sent to Associations and Agencies; Professional, Industrial and Labour, inviting written submissions and appearance before the Committee. A Province-wide advertising campaign was also conducted and ninety-five written submissions resulted. Public Hearings were held at Edmonton, Calgary, Grande Prairie, Medicine Hat and Red Deer.

The Committee met with Professor T. G. Ison¹ and Dean J. McLaren,² deriving significant benefit from discussion with these acknowledged experts in the field of compensation for personal injury and sickness. A study was undertaken of the pertinent legislation of other provinces. One Member was delegated to visit recently constructed rehabilitation centres in British Columbia and Nevada. He also combined fact-finding visits to New Zealand and the Province of Quebec with other government business.

The Committee's studies concluded with the visit of a representative all party mission to the Federal Republic of Germany, Sweden and the United Kingdom.

While being specifically charged to review The Workers' Compensation Act and its administration, it became rapidly apparent to the Committee that matters relating to occupational health and safety were inextricably interwoven and had to be included in carrying out an in-depth review. This is reflected in the contents of this report and the Committee is clearly of the opinion that future Legislative Select Committees be charged to conduct a combined review of Workers' Compensation and Occupational Health and Safety.

¹ *Terrance G. Ison, Faculty Associate, Industrial Relations Centre and Professor, Faculty of Law, Queen's University*

² *John McLaren, Dean of the Faculty of Law, University of Calgary*

SUMMARY OF RECOMMENDATIONS

- I. That where an accident does not disable a worker for more than three consecutive working days, including the day of the accident,
 - (a) the employer shall continue to pay normal wages for the period of lay off
 - (b) such payment shall not be deducted from any sick pay entitlement
 - (c) at his discretion, the employer may require certification of disablement related to the accident, before payment for lay off is made
 - (d) any medical care costs incurred shall be paid by the Alberta Health Care Insurance Plan
 - (e) the Workers' Compensation Board need not be notified, but a record of the accident shall be made in the Accident and First Aid Book maintained by the employer
 - (f) if it is the opinion of the attending doctor chosen by the worker that the injury has the potential of causing future complications, a medical report shall be sent to the Workers' Compensation Board and a report fee will be paid
 - (g) where an employer fails to meet his obligation, the Workers' Compensation Board may pay the injured worker the net wage loss and directly increase the employer's assessment by the amount paid.

2. That the basis of compensation payable for temporary and permanent injury and for death be based upon 90% of net wages. That net wages be defined as gross earnings less deductions for federal and provincial income tax, Canada Pension Plan, Unemployment Insurance and Alberta Health Care Insurance.
3. That the ceiling imposed by establishing a maximum rate of compensable earnings be abolished.
4. That the practise of automatic payment of life time pensions to dependent spouses be replaced by a concept that stresses retraining and rehabilitation and that the Act be amended to embody the following:
 - (i) (a) Where a worker suffers a fatal accident and leaves a dependent spouse and one or more dependent children, a pension, equal to that which would have been paid to the deceased worker had he been instead permanently totally disabled, shall be paid until such time that the youngest child reaches the age of eighteen years.
 - (b) Where indicated, the dependent spouse shall be provided with vocational rehabilitation services including retraining.

- (c) If employment, or re-employment has been achieved by the time that the youngest child reaches the age of eighteen years, then a lump sum shall be paid for each of the five consecutive years. The first year being the equivalent of twelve months full pension and the lump sums shall decrease by 20% per year over the following four year period.
- (d) If employment or re-employment has not been achieved then, at the discretion of the Board, payment of the full pension may be extended until employment is achieved but such extension shall not in any event exceed a period of five years.
- (e) If, in the opinion of the Board, the dependent spouse is invalid or otherwise incapable of being retrained or of becoming gainfully employed then a full pension may be paid for life.
- (f) Where the worker dies as the result of an accident leaving no dependent spouse or where the dependent spouse subsequently dies, the pension contemplated in (i) (a) shall be paid to the estate of the deceased worker, or deceased dependent spouse, until such time that the youngest child reaches the age of eighteen years whereupon the termination lump sums outlined in (i) (c) shall be paid.

(ii)

- (a) Where there is a dependent spouse but no dependent children, vocational rehabilitation services, including retraining shall, if needed, be offered as soon as practical.
- (b) During retraining, payment of a full pension may be made to a maximum of five years before implementing lump sum termination as outlined in (i) (c).
- (c) If retraining is not undertaken then no pension shall be paid but the lump sums outlined in (i) (c) shall be paid.
- (d) If in the opinion of the Board the dependent spouse is an invalid or otherwise incapable of being retrained or of being gainfully employed, then a full pension may be paid for life.

- 5. That where a dependent spouse receiving a pension awarded as the result of an accident occurring prior to January 1, 1981, remarries the lump sum termination payment shall be an amount equal to thirty-six months payment of the pension at the monthly rate payable prior to re-marriage.

6. That where it is brought to the attention of the Workers' Compensation Board that a dependent spouse in receipt of a dependent's pension awarded in respect of an accident sustained prior to January 1, 1981, has entered into a common-in-law relationship of a nature and duration as prescribed in Sections 1.6 and 30 (1) of the Workers' Compensation Act, then payment of the dependent's pension shall be terminated and the re-marriage provision be enacted.
7. That where a worker is in receipt of a permanent disability award of 50% of total or greater a supplement shall be paid to age 65 years which, together with the pension award, shall provide a monthly amount equal to that which would have been payable had the scale of compensation in force in the year 1980 been in effect during the year of occurrence of the accident in regard to which the pension was awarded. The cost of this amendment to be charged to industry and amortized over a ten year period.
8. That occupational disease be defined as a disabling, or latently disabling, condition caused by the employment and that the Act be amended as necessary to ensure that the term "*accident*" includes occupational disease.

9. That the definition of "*accident*" and "*eligibility for compensation*" clause be amended to permit payment, where indicated, of relocation, temporary lost income replacement and retraining expenses where a worker suffers a potentially disabling condition caused by occupational disease and a change of industry or occupation is indicated.
10. That provision be made in the Act, that where a worker is disabled as the result of a work injury causing aggravation of a pre-existing condition, and where following optimum recovery there is residual disability in excess of that medically attributable to the injury, the Board may recognize such by payment of a proportionate supplement for as long as the enhanced disability persists, but not in any event beyond the workers attainment of age 65 years.
11. That payment of compensation may be made on the basis of the employer's report and it be no longer necessary that a worker's application be received before payment of compensation is initiated.
12. That the Alberta Health Care Insurance Plan assume responsibility for payment of medical aid rendered to injured workers under The Workers' Compensation Act.

That medical reports required for the purpose of claims adjudication and administration continue to be sent to the Workers' Compensation Board and that a fee per report be paid. The amount of the report fee should be determined by the Board in consultation with the Alberta Medical Association and included in the General Regulations to The Workers' Compensation Act.

13. That the function of the Claims Advisors be extended to assist dissatisfied employers, workers or dependents to prepare appeals and to assist the applicant at hearings before the Claims Review Committee or Members of the Workers' Compensation Board.

- 14.
- (a) That the definition of "*Independent Operator*" in Section 1.13 be deleted from the Act.
 - (b) That the term "*Proprietor*" be inserted and defined in the definition Section of the Act to ensure that there is a clear distinction between a person who is a bona fide "*Proprietor*" and a person who is a "*worker*".
 - (c) That the term "*Proprietor*" be utilized throughout the Act as required in order to reflect the need for personal coverage of those individuals engaged in an industry in their own right as sole proprietors. Sole proprietors who do not elect to obtain personal coverage, however, be no longer automatically considered to be workers of a principal.

15. That Section 11 of the Act be reworded to provide that

(a) The Board may, upon application by a principal, deem all sub-contracted persons performing work for him to be workers of that principal.

(b) That notwithstanding receipt of application, the Board may where it considers advisable, deem such contracted persons, or certain classes of persons, to be workers of a principal.

16. That where personal coverage has been approved it shall remain in force for a minimum period of 30 days unless The Workers' Compensation Board is satisfied that a shorter period should be authorized.

17. That the Alberta Teachers' Association and the Alberta School Trustees' Association be given formal notice that

(a) the present policy of covering some school teachers and not others is a concern.

(b) that the Associations be requested to review with their general membership, the question of whether coverage should be extended to academic teachers or alternatively withdrawn from those non-academic teachers presently covered.

(c) The conclusions and recommendations of the membership should be conveyed to the Minister Responsible for Workers' Health, Safety and Compensation prior to September 1, 1981.

18. That Section 1.10 of the Act be amended to encompass agency situations in a master servant relationship.
19. That the definition of "*learner*" as defined in Sub-Section 1.16 be amended to include a person undergoing "*testing*" as a pre-requisite to employment.
20. That Section 10 of the Act be amended to include partnerships.
21. That a clause be incorporated into the Act to provide, when required, for the issuance of a certificate evidencing the decision of the Board made on a claim or assessment matter.
22. That Section 13 (3) of the Act be amended to clearly indicate that in procedure no formal hearing of an application by the Board is necessary and that its adjudication can be made as an ordering or regular procedure.

23. That Section 15 be combined with Section 13 in order to better illustrate the types of actions that are prohibited under the Act.
24. That Section 14 of the Act be amended to provide that the Board has the authority to set the scale of fees that shall be paid for legal services and that the amounts of this scale shall be detailed in the General Regulations to the Act.
25. That Section 16 (1) be reworded for clarification of its intent.
26. That Section 16 (8), (9), (10), (11) and (11.1) of the Act be reworded and/or combined to reflect that
- (a) A claim must be made to the Board by an injured worker within one year of the happening of an accident or by a dependent within one year of the death of a worker, unless
 - (b) The Board finds good reason to waive the specified time limit.
27. That the penalties prescribed in Section 19 (4) of the Act be increased to read \$100 and \$500 respectively.

28. That Section 35 of the Act be reworded to reflect that non-resident dependents may be paid compensation awards at the discretion of the Board and that such awards not exceed like compensation payable to a resident dependent.
29. That Section 37 (2.1) of the Act be reworded to reflect that the amounts prescribed for burial and transportation costs be transferred from the Act and be incorporated in its General Regulations.
30. That Section 37 (4) be amended as necessary to fulfill the intent of the Act or the policies of the Board to compensate equitably those persons whom it considers qualify as a dependent child's caretaker. The amendment should also provide that payment to the caretaker may be restricted to the equivalent of the pecuniary amount provided by the deceased worker.
31. That Sub-Section 39 (3) of the Act be deleted.
32. That the word "*equally*" be deleted from Sub-Section 41 (1) of the Act.

33. That Section 43 of the Act be amended to provide specific authority to assess disability awards relating to permanent non-anatomical injuries.
34. That the phrase "*about the face or head*" be removed from Sub-Section 43 (4) of the Act.
35. That Section 44 and 44.1 be consolidated and reworded to clarify intent.
36. That Section 46 of the Act be revised to allow payment of a temporary partial disability award on the basis of established wage loss where such exceeds the assessed physical disability.
37. That Sub-Section 49 (3) of the Act be deleted.
38. That Sub-Section 49 (6) be reworded to reflect the intent that its provisions apply to all apprentices including those beyond age eighteen years.
39. That Section 52 of the Act be reworded to indicate that the amount prescribed for clothing allowance be removed from the Act and be included in its General Regulations.

40. That Sub-Section 56 (6) be amended to provide that a worker be reimbursed in the amount of his actual net wage loss.
41. That Section 53 be amended to make clear that periodic legislative increases do not apply to pension awards
- (a) paid by way of a lump sum
 - (b) where the award has been paid partially by lump sum and currently by way of partial monthly payment, to that portion not paid by way of a previous lump sum.
42. That the words "*by way of overdraft*" be deleted from Sub-Section 61 (2) of the Act.
43. That Sub-Section 67 (2) be amended to allow the Board the authority to establish a value of service for anyone rendering a service to an organization, be it a partnership, corporation or proprietorship.
44. That Sub-Section 68 (5) be amended to permit the Board to take possession, extract or copy any records required for the Board's purposes.

45. That the confidentiality and privilege of information provisions of Sub-Sections 68 (12), (13) and (14) be relocated under the "*General*" Part 9 of the Act to more adequately reflect their intent.
46. That Sub-Sections 78 (6) and (7) be amended to provide that where the obvious intent of "*selling transaction*" is to defeat creditors, that such transactions be deemed by the Board not to be at "*arms length*" and therefore void.
47. That Sub-Section 9 (2) of the Act be added to the list of Sections under Section 86 not considered a regulation under The Regulations Act.
48. That the penalties contained in Sub-Sections 91 (1) and (2) of the Act be increased to \$100 and \$500 respectively.
49. That Sub-Section 92 (4) of the Act be amended to allow for prosecution to be initiated with the authorization of the Board generally.
50. That the General Regulations to The Workers' Compensation Act be rescinded and rewritten to reflect legislative changes resulting from the recommendations contained in this report.

THE WORKERS' COMPENSATION ACT AND ITS ADMINISTRATION

(i) Concept

The fundamental principles of the workers' compensation scheme enacted by the Alberta Legislature in 1918 have withstood the test of time and have not lost validity as we enter the 1980's. Essentially employers pay the costs of workers' compensation by contributing to a mutual fund. Injured workers receive payment of compensation regardless of blame and in return have given up their right absolute to sue their employers. The scheme is administered by an independent Board which has a long established record of responsibility and efficiency. It is generally accepted that the prime function of The Workers' Compensation Board is the processing and payment of claims. It is the opinion of this Committee that the concept of Workers' Compensation be now viewed in much broader terms.

The Province of Alberta is experiencing burgeoning industrialization and the number of industrial accidents is progressively increasing. If this progression is to be slowed there must be an increased emphasis on prevention of accidents and provision of vocational rehabilitation services. Your Committee found that those systems which have achieved consistently reducing accident rates have also a high degree of worker participation in safety programs and comprehensive rehabilitation services with ability to assist in preventing potentially disabling conditions from becoming acute, and in preventing recurring disabilities.

Prompt provision of income replacement is imperative but payment of compensation and provision of medical aid should be viewed as being an essential aid to rehabilitation.

(ii) Rehabilitation

A new part should be added to The Workers' Compensation Act providing for comprehensive rehabilitation services. Such services should comprise:

- (a) physical
- (b) social
- (c) vocational

This reflects an overview that from the moment of accident all the Board's resources should be applied, as needed, in a totally integrated effort to achieve the earliest possible, but effective, return to the workforce. In serious cases this calls for prompt and continuing close liaison between the rehabilitation councilor, claims officer, medical officer and psychologist.

The Board's Rehabilitation Centre is presently oriented to medical treatment or medical control of programs. In Europe the Committee found convincing evidence to support a change of emphasis from medical to a vocational role.

Your Committee has concluded that:

- (a) The medical aspect of treatment be carried out at active treatment hospitals, both as in-patient and out-patient.
- (b) There be increased provision of psychological services to achieve early stimulation, during the initial acute treatment phase, and maintenance of motivation.
- (c) The programs presently offered at the Workers' Compensation Board Rehabilitation Centre which are not available elsewhere be retained and reinforced, particularly aptitude determination, work testing and prosthetic services.

For the future your Committee contemplates an increasing Social awareness of the need to extend comprehensive rehabilitation services to the victims of non-occupational accidents and disease. When the provision of such a comprehensive scheme becomes a reality the Board's Centre could well be integrated into that program.

(iii) Non-Medical Practitioners

Your Committee finds that in their relationship with the Workers' Compensation Board, non-medical practitioners treating injured workers are restricted to consultation with the lay claims officers and are not accorded the courtesy of follow-up and case disposition reports when their patients are streamed into medical treatment programs. This practise does not benefit the worker and steps should be taken to end it.

(iv) Confidentiality of Medical Records

The question of whether or not a worker, his representative or his employer should have direct access to his medical records is not an easy one to decide. Certainly the trend is towards greater freedom of information, but conversely, it is essential that the Board be provided with the most completed and pertinent information on which to base decisions. Requests for medical records usually arise following the making of a decision as the reasons for the decision are not fully understood or the records are required in order to assist in preparation of an appeal.

All things considered, the Committee is of the opinion that confidentiality of the original records should be maintained. The Workers' Compensation Act does, at Section 25, provide that the Board shall give reasons for decisions, include the medical reasons, upon request.

The Claims Advisors have complete access to the claim file as does the Provincial Ombudsman. The Board should, however, assume an obligation that where, following a decision, a request for medical information is received from the worker, his accredited representative or the employer, that a comprehensive precis of the medical information, pertinent to the decision or issue, is in every case provided. The actual medical documentation should, however, remain privileged to the Board and to the Ombudsman.

(v) Claims Services - Branch Offices

The Workers' Compensation Board maintains Branch offices at Calgary, Lethbridge, Medicine Hat, Red Deer and Grande Prairie. The Committee visited these offices, with the exception of Medicine Hat, and reviewed the facilities and services offered. Emphasis was on assessment followed by rehabilitation and then claims, Calgary being the only office actually having a small claims' staff in conjunction with a significant medical examination and disability assessment capability.

Of all the Board's functions, claims adjudication has been traditionally centered at the Head Office in Edmonton for the sake of efficiency and consistency of decision.

It is accordingly not possible for a claims decision to be made independently at a Branch office. This is not a reflection of the competence of the staff concerned, but simply a matter of fact that information is not readily available with the type of systems and communication facilities presently in use.

Decentralization of claims administration is a significant issue. British Columbia and Quebec have decentralized and Ontario is committed to do so as soon as practical. The Committee is not convinced that, for the Province of Alberta, physical decentralization is the only answer to provision of improved local service. The Committee is, however, clear in its opinion that the level of claims service presently provided at the Branch offices is not acceptable and must be improved. The Workers' Compensation Board already has this matter under advisement and the Committee would recommend that in the short term, communication be improved to provide limited local decision making and cheque issuing capability and, in the long term, adoption of a system that gives the capability of local claims adjudication and administration. This could be accomplished by an advance technique of instant access to currently updated electronic master files or by physical decentralization of the Claims Department. No doubt, the Board will be publishing its intentions when its studies are complete.

(vi) Composition of Membership of the Workers' Compensation Board

Several of the submissions to the Committee urged that industry be permitted to nominate a person from its ranks to serve on the Board as a partisan representative. Proposals included consideration of extended four or five member Boards. One proposal contemplated a nucleus of three with additional part-time members drawn from industry and labour.

The Committee examined generally the manner of function of quasi-judicial tribunals and appointed administrative boards. It concluded that "*balanced*" partisan boards tended to foster contention and delay of decision making.

The Committee is satisfied that industries concerns are given full and objective consideration by the Alberta Workers' Compensation Board and that expansion of the Board is not indicated at this time.

(vii) The Appeal System

Recommendations were made to the Committee that an external appeal system staffed by persons outside the Workers' Compensation Board be adopted or that members of the Review Committees be appointed from nominees put forward by industry and labour.

A comparison of the Alberta internal system of review with those administrations at home and abroad which require appeals to be heard by independent lay tribunals and/or courts of law satisfied this Committee that no change should be made. The Alberta system eminently reflects the intent of the legislation that:

- (a) An injured worker shall receive the benefit of presumption of entitlement in return for giving up his right absolute to seek remedy at law, whenever that presumption has not been conclusively rebutted.
- (b) Cases are dealt with as expeditiously as possible with the merits of the particular case being of paramount importance and that no decision becomes a precedent absolute.
- (c). In cases where causal relationship or degree of compensable disability is based upon medical opinion, such opinion is accepted as being advisory only, the decision being administrative.

(viii) Chest Diseases - Presumptive Clause

On April 27, 1978, the Legislative Assembly carried motion No. 204 which was a resolution moved by Gordon Taylor, M.L.A., the content of which was:

"BE IT RESOLVED THAT the Government of Alberta gives consideration of the automatic presumption principle in workers' compensation, under which a miner who has been exposed to coal dust or rock dust for a period of 20 years or more and who is suffering from loss of lung function, be given the benefit of any doubt which may exist as to the cause of the lung condition and compensated accordingly for either pneumoconiosis or silicosis."

This Committee has, on behalf of the Assembly, given due consideration to adoption of a presumptive clause and has examined in detail submissions received from labour and industrial associations, the American *"Black Lung"* legislation and European schemes. It frankly does not favour adoption of a presumption of cause tied to a prescribed number of years of work, nor does it consider that any presumptive clause should be restricted to the coal mining industry.

The Alberta Workers' Compensation Act should provide legislative flexibility that any chest condition that can be related to the employment should be accepted without contention as being compensable, so that the Workers' Compensation Board may fund preventive measures in the event of potential disability and pay compensation in the event of measurable disablement.

Where there is a measurable degree of disability and it is medical opinion that such is due to a combination of industrial and non-industrial causes, then the whole should be presumed to be related to the employment and compensation awarded accordingly. That portion of the award considered to be of non-industrial cause should, however, be charged to the Reserve for Enhanced Disabilities.

The Workers' Compensation Board has advised the Committee of a proposed policy revision concerning occupational respiratory disease which it intends to implement and which, with amendments incorporated following discussion with the Committee, embodies the Committee's conclusions and merits its endorsement. Essentially the policy provides that where there is evidence of a disabling or potentially disabling respiratory condition due to the employment:

- (a) relocation and retraining expenses may be provided if indicated.
- (b) maintenance of income may also be provided on the basis of full replacement for the first year and a reduction of 20% per year for the following four years, if needed.
- (c) If there is an ongoing established earnings loss, payment of a supplementary award in recognition of such for as long as the loss continues, but not beyond age 65 years.

- (d) If there is a measurable permanent physical disability then such be recognized by payment of a pension award equal to the overall respiratory disability with proportionate charge to the Reserve with Enhanced Disabilities, if so indicated.

The Committee further endorses the administrative procedure used by the Workers' Compensation Board whereby primary diagnosis and assessment is carried out by an established Board of chest specialists, as this should ensure consistency of decision.

With the acceptance of a broad definition of industrial disease the Committee finds that Part 6 of the Act, which provides a presumptive scheme for cause of silicosis, to be now obsolete and should accordingly be repealed.

(ix) Merit Rebate and Super Assessment

The Act at Sub-Sections 64 (14) and (15) provides that, the Board may adopt, at its discretion, a system of merit credits and super assessments which shall not exceed 33 1/3% of the annual ordinary assessment. The Committee received several excellent briefs concerning modification of the system now in effect in which recommendations were made for both expansion and deletion of the scheme.

Those in favour of retention, however, significantly out-numbered those seeking abolition. The majority requested that some form of accountability be introduced. At present qualification for a merit refund does not necessarily depend upon an employer's devotion to safe working practises. An irresponsible employer may maintain a low accident cost ratio and qualify for a merit refund. Conversely a conscientious employer may have a staff member suffer a costly accident under circumstances completely beyond his control and yet be required to pay a super assessment and also lose possible merit credits for three subsequent years.

The members agreed that there did appear to be inequity in the present system and considered specific proposals for revision put forth by the Alberta Construction Association and by Building Products of Canada Limited. While the proposals were excellent in conception with specific regard for the circumstances of the particular industries involved the Committee was persuaded that to impose a sophisticated plan upon some 25,000 employers engaged in a wide spectrum of industrial ventures would prove to be uneconomical in terms of administrative cost. Furthermore, the proposed plans would establish a significant degree of financial self accountability which would lead to erosion of one of the fundamental principles of workers' compensation, that of providing financial security to all employers through participation in a mutual fund.

In order to improve the equity of the present system with acceptable administrative cost the Committee proposes that forthwith the Division of Occupational Health and Safety provide the Board with a list compiled annually of those employers whose record of compliance with safety procedures does not warrant qualification for payment of a merit credit. The Board may then withhold payment of merit credits to which those employers may otherwise have been entitled.

With regard to super assessment, the Committee is of the opinion that the Board should advise those employers in receipt of notice of super assessment that an appeal may be made to the Assessment Review Committee and that with reason the Committee may authorize that the super assessment be rescinded. Any decision of the Assessment Review Committee should, of course, be open to review by the Members of the Board, on request.

(x) Coverage - Farmers

The Committee has serious concerns regarding the frequency and severity of agricultural accidents. It is indeed incongruous that in the Province of Alberta the majority of those injured while employed in its single largest industry, that of farming, are mostly denied the protection and benefits provided as a matter of right to those injured in other industries.

Agricultural employers outside the Act not only deny themselves and their workers the benefits of coverage, they also have no protection from law suits and in these times run a very real risk of being financially ruined as the result of having inadequate private insurance to fund the million dollar settlements that could be awarded by court judgement to a young worker suffering serious injury as the result of a farm accident.

The Alberta Farmer is, by nature, an independent individual proud of his ability to stand on his own and take care of problems or, at most, resolve them in mutual co-operation with his neighbours. In considering purchase of Workers' Compensation coverage there is little doubt that the main stumbling block is the high rate of assessment charged for general farming, \$6.25 per \$100.00 of payroll for the year 1980. It is the opinion of The Workers' Compensation Board, however, that this is a realistic figure required to meet the costs of farm accidents. Examination of the accident cost records of those relatively few farm accounts under the Board confirms that over the years, farm accidents have tended to be of serious nature. The Board has indicated that with full participation, the rate could drop somewhat as the risk would be spread over a broader base with greater mutuality of protection.

A significant section of farming is also different from other industry as the cost of compensation premiums cannot be absorbed by being passed on to its customers, as it cannot control the product price. This raises the possibility of a limited subsidy, but such would likely create its own particular problems.

The Committee can frankly offer no easy solution to the problem which has received considerable attention during the past five years, by the staff of the Workers' Compensation Board, Division of Occupational Health and Safety and the Department of Agriculture.

A preferred solution would be for the farmer to come by choice to the understanding that he cannot afford to be without workers' compensation coverage. That such could only bring unequalled protection to himself and his workers and would not, as he may now fear, open a floodgate of government inspectors to appear and dictate hours of work, compliance with unrealistic safety regulations etc., and also create an array of new forms to be filled and filed.

It is a matter of record that serious accidents do happen on the farm.

It must be understood by all concerned that:

- (a) The majority of those injured on the farm do not receive the level of benefits or provision of rehabilitation services accorded to other industrial workers.
- (b) Most farmer/employers have not availed themselves of the protection against law suit that The Workers' Compensation Act provides.

Your Committee is firmly of the opinion that coverage of the Act should not be arbitrarily forced upon the farmer and that participation should remain to be of his choice. How then can this incongruity be resolved?

The Committee requests that all farm organizations actively address this question. That The Workers' Compensation Board in co-operation with the Division of Occupational Health and Safety, and the Department of Agriculture prepare and distribute a position paper that can be used by farm organizations to consider possible means of achieving coverage by mutual agreement and that the organizations report to the Minister Responsible for Workers' Health, Safety and Compensation their conclusions and recommendations by September 1, 1981.

(xi) Publications

During public hearings, it was apparent that in many cases those making submissions were unaware of Board policy directives and claims adjudication criteria. The Workers' Compensation Board has, however, gone to considerable lengths to prepare and distribute information publications for employers and workers. It would appear that many of these documents do not reach those concerned or that there is little interest displayed until a situation occurs of direct involvement. The Committee would recommend that the Board place its consolidated policy directives and claims adjudication manual in the major public libraries so that those who have a need can have easy access.

(xii) Government Liability for Benefits Paid Under
The Workers' Compensation Act

In 1974 the Provincial Government approved that funds would be made available from general revenue for the purpose of upgrading annually those pensions being paid in respect of industrial accidents sustained prior to January 1, 1974. Industry has provided such funds in respect of pensions awarded as the result of accidents sustained subsequent to that date. Actuarial projections made available to the Committee indicate that the government's assumed liability will continue to the year 2074. It is the opinion of the Committee that the present practice of paying the cost by way of annual contribution be discontinued and that future liability be prefunded by payment of a lump sum, which is estimated to be in the order to \$200,000,000.¹

(xiii) The Financial Cost of Workers' Compensation

Employers organizations have voiced repeated concerns regarding the cost of workers' compensation and recommendations have been made that the increase of benefit levels be constrained or actually reduced in proven cases of contributory negligence. Your Committee has had the advantage of first hand evaluation of systems based on the principles of no-fault and others where blame is a significant factor.

¹ See Appendix "E".

Consideration of blame leads inevitably to adoption of the adversary system, tort and remedy at law. Your Committee is unanimously opposed to initiation of any such trend which could result in employers being faced with costly law suits and workers losing the assurance of maintenance of income. Contemplation of an eventual substantial settlement inevitably fosters prolongation of disablement and defeats effective rehabilitation.

Your Committee is also satisfied that no-fault is the most cost effective system with maximization of that portion of the compensation dollar paid in benefits.

It must be clearly understood that workers' compensation assessment is a cost of doing business and that in return for having given up absolute the common law right to seek payment of damages beyond loss of income, an injured worker must receive prompt payment of compensation at a realistically high level of benefits.

It is the conclusion of your Committee that the only logical means of reducing the financial cost of workers' compensation is by concerted co-operative dedication on the part of industry, labour and government to achieve a meaningful reduction in the frequency of industrial accidents.

(xiv) The Future

The Federal Republic of Germany, Sweden and the United Kingdom have basic comprehensive schemes which provide assistance for all disabled as the result of sickness or accident, regardless of cause. Those disabled as the result of their employment, however, receive a higher level of benefit and, in the United Kingdom those injured as the result of employer negligence may also sue for damages.

The New Zealand system provides no-fault compensation and rehabilitation services for all suffering personal injury as the result of accidents, regardless of cause and with equality of benefits.

More comprehensive programs have been proposed. In Canada a Saskatchewan Task Force produced in 1976 a proposal based on the New Zealand model.¹ The Province of Manitoba published a uniquely comprehensive plan in 1977² and the "Ison Proposal"³ makes persuasive argument for adoption of a consolidated plan.

¹ *Report of the Sickness and Accident Insurance Committee*
- September 1976.

² *Accident and Sickness Compensation in Manitoba*
- A Government White Paper, May 1977.

³ *Human Disability and Personal Income* - Terence G. Ison, 1977.

Overseas Sir Owen Woodhouse, who was the principle author of the New Zealand scheme, headed a Commission which produced for the Australian Government a totally comprehensive no-fault scheme of compensation for sickness and accident⁴ which was, however, shelved following a change of government.

Your Committee sees an eventual move to replacement of the existing fragmented and sometimes overlapping Federal and Provincial Departments and Agencies which, with the best of intentions, deal piecemeal and inconsistently with a single basis social problem. Economic considerations alone will demand integration of similar programs. No fault insurance schemes must surely continue to gain in popularity as the cost of adversary systems and court actions become obviously unrealistic.

The move towards universal coverage is a response to a social need but we must tread that path with care, and ensure that adoption of a comprehensive scheme is truly needed and properly meets Alberta's particular requirements.

⁴ *Compensation and Rehabilitation in Australia*
- Report of the National Committee of Enquiry, July 1974.

REASONS FOR RECOMMENDATIONS

1. Recommendation:

That where an accident does not disable a worker for more than three consecutive working days, including the day of the accident,

- (a) the employer shall continue to pay normal wages for the period of lay off
- (b) such payment shall not be deducted from any sick pay entitlement
- (c) at his discretion, the employer may require certification of disablement related to the accident, before payment for lay off is made
- (d) any medical care costs incurred shall be paid by the Alberta Health Care Insurance Plan
- (e) the Workers' Compensation Board need not be notified, but a record of the accident shall be made in the Accident and First Aid Book maintained by the employer
- (f) if it is the opinion of the attending doctor chosen by the worker that the injury has the potential of causing future complications, a medical report shall be sent to the Workers' Compensation Board and a report fee will be paid

- (g) where an employer fails to meet his obligation, the Workers' Compensation Board may pay to the injured worker the net wage loss and directly increase the employer's assessment by the amount paid.

Reason:

More than 60% of the claims processed by the Workers' Compensation Board relate to accidents where there is less than three days loss of work. These are small claims of little import but they generate significant file copy and require considerable manpower to process. By removing these minor claims from the system, while safeguarding a worker's rights of claim in the event of complications, the worker will benefit by receiving full pay. The employer will be relieved of the task of compiling and forwarding reports and the Workers' Compensation Board will be better able to utilize its staff by concentrating on the serious cases.

2. Recommendation:

That the basis of compensation payable for temporary and permanent injury and for death be based upon 90% of net wages. That net wages be defined as gross earnings less deductions for federal and provincial income tax, Canada Pension Plan, Unemployment Insurance and Alberta Health Care Insurance.

3. Recommendation:

That the ceiling imposed by establishing a maximum rate of compensable earnings be abolished.

Reason:- (For Recommendations #2 and #3)

In the United Kingdom the Committee found an expression of willingness to abandon the tort system providing that the benefits payable under a no fault system adequately compensated an injured worker for his wage loss. Your Committee finds that under the present system of paying 75% of gross earnings below a fixed ceiling in non-taxable compensation

- (a) less than two-thirds of injured workers receive 75% of gross wages.
- (b) a high wage earner can receive as little as 40%.
- (c) it is not feasible to raise the ceiling to cover all workers as many would receive more while disabled than working because of the 25% tax factor.

Payment of 90% of net earnings with no ceiling will ensure that all injured workers receive adequate income maintenance in accordance with their established earning capacity.

In determining the compensable wage level regard should be had for earnings at the time of accident but should be consistent with a pattern of actual, or what would have been paid for a similar worker, over not less than a three month period.

The minimum rate of compensation, as presently provided by Section 50 of the Act, should be maintained with annual review.

4. Recommendation:

That the practise of automatic payment of life time pensions to dependent spouses be replaced by a concept that stresses retraining and rehabilitation and that the Act be amended to embody the following:

- (i) ..
 - (a) Where a worker suffers a fatal accident and leaves a dependent spouse and one or more dependent children, a pension, equal to that which would have been paid to the deceased worker had he been instead permanently totally disabled, shall be paid until such time that the youngest child reaches the age of eighteen years.

- (b) Where indicated, the dependent spouse shall be provided with vocational rehabilitation services including retraining.
- (c) If employment, or re-employment has been achieved by the time that the youngest child reaches the age of eighteen years, then a lump sum shall be paid for each of the five consecutive years. The first year being the equivalent of twelve months full pension and the lump sums shall decrease by 20% per year over the following four year period.
- (d) If employment or re-employment has not been achieved then, at the discretion of the Board, payment of the full pension may be extended until employment is achieved but such extension shall not in any event exceed a period of five years.
- (e) If, in the opinion of the Board, the dependent spouse is invalid or otherwise incapable of being retrained or of becoming gainfully employed then a full pension may be paid for life.
- (f) Where the worker dies as the result of an accident leaving no dependent spouse or where the dependent spouse subsequently dies, the pension contemplated in (i) (a) shall be paid to the estate of the deceased worker, or deceased independent spouse, until such time that the youngest child reaches the age of eighteen years whereupon the termination lump sums outlined in (i) (c) shall be paid.

(ii)

- (a) Where there is a dependent spouse but no dependent children, vocational rehabilitation services, including retraining shall, if needed, be offered as soon as practical.
- (b) During retraining, payment of a full pension may be made to a maximum of five years before implementing lump sum termination as outlined in (i) (c).
- (c) If retraining is not undertaken then no pension shall be paid but the lump sums outlined in (i) (c) shall be paid.
- (d) If in the opinion of the Board the dependent spouse is an invalid or otherwise incapable of being retrained or of being gainfully employed, then a full pension may be paid for life.

Reason:

While the Committee endorses payment of life-time pensions to dependent spouses who for various reasons are incapable of gainful employment, it firmly believes that wherever possible a dependent spouse should receive every encouragement to continue, or become self-sufficient. This amendment will provide such incentive while giving the Workers' Compensation Board flexibility to deal with cases on their particular merits. As most pensions will now be paid for a specific term, re-marriage should not constitute reason for termination of benefits.

5. Recommendation:

That where a dependent spouse receiving a pension awarded as the result of an accident occurring prior to January 1, 1981, re-marries the lump sum termination payment shall be an amount equal to thirty-six months payment of the pension at the monthly rate payable prior to re-marriage.

6. Recommendation:

That where it is brought to the attention of the Workers' Compensation Board that a dependent spouse in receipt of a dependent's pension awarded in respect of an accident sustained prior to January 1, 1981, has entered into a common-in-law relationship of a nature and duration as prescribed in Sections 1.6 and 30 (1) of The Workers' Compensation Act, then payment of the dependent's pension shall be terminated and the re-marriage provision be enacted.

Reason: - *(For Recommendations #5 and #6)*

These recommendations relate to dependent spouses receiving pension awards in accordance with existing and previous legislation.

The recommendations will:

- (a) provide more equitable re-marriage pension termination benefit.
- (b) provide that a pension may be terminated when a common-in-law relationship, of a nature which would also entitle payment of a pension, has been established.

7. Recommendation:

That where a worker is in receipt of a permanent disability award of 50% of total or greater a supplement shall be paid to age 65 years which, together with the pension award, shall provide a monthly amount equal to that which would have been payable had the scale of compensation in force in the year 1980 been in effect during the year of occurrence of the accident in regard to which the pension was awarded. The cost of this amendment to be charged to industry and amortized over a ten year period.

Reason:

Approval of this recommendation will restore parity to those pensioners who have seen their pensions drop from maximum on the compensation scale to minimum. It will apply, however, only to those who have a 50% or greater degree of disability and the increase will be paid by way of a term supplement to cease at age 65 years when entitlement to old age security benefits occurs.

8. Recommendation:

That occupational disease be defined as a disabling, or latently disabling, condition caused by the employment and that the Act be amended as necessary to ensure that the term "*accident*" includes occupational disease.

9. Recommendation:

That the definition of "*accident*" and "*eligibility for compensation*" clause be amended to permit payment, where indicated, of relocation, temporary lost income replacement and retraining expenses where a worker suffers a potentially disabling condition caused by occupational disease and a change of industry or occupation is indicated.

Reason: - (*For Recommendations #8 and #9*).

These amendments will enable the Workers' Compensation Board to take effective measures to prevent a potentially disabling occupational disease condition from becoming in fact disabling by assisting the worker concerned to change his occupation. It will also result in discontinuance of a set list of industrial diseases.

10. Recommendation:

That provision be made in the Act, that where a worker is disabled as the result of a work injury causing aggravation of a pre-existing condition, and where following optimum recovery there is residual disability in excess of that medically attributable to the injury, the Board may recognize such by payment of a proportionate supplement for as long as the enhanced disability persists, but not in any event beyond the workers attainment of age 65 years.

Reason:

This recommendation is in response to those cases where individuals have been able to work without significant difficulty with a non-industrial condition, but then suffer an industrial accident which causes aggravation and/or progression of the condition resulting in an overall degree of residual disability out of keeping with the accident. The Board has introduced policies to assist in such cases but is limited in its ability to deal equitably with the situation through lack of specific enabling legislation.

This amendment will enable the provision of assistance where needed. The costs of supplements should be charged to the Reserve for Enhanced Disabilities and not to the employers concerned.

11. Recommendation:

That payment of compensation may be made on the basis of the employer's report and it be no longer necessary that a worker's application be received before payment of compensation is initiated.

Reason:

This will assist in shortening the period of time that it takes to send the first payment of compensation to the injured worker.

12. Recommendation:

That the Alberta Health Care Insurance Plan assume responsibility for payment of medical aid rendered to injured workers under The Workers' Compensation Act. That medical reports required for the purpose of claims adjudication and administration continue to be sent to The Workers' Compensation Board and that a fee per report be paid. The amount of the report fee should be determined by the Board in consultation with the Alberta Medical Association and included in the General Regulations to The Workers' Compensation Act.

Reason:

By consolidating payment of doctors' fees under one agency there will be improved efficiency and cost savings. The Workers' Compensation Board will, however, still be able to obtain those reports that it requires for effective claims administration. In rewording the pertinent sections of The Workers' Compensation Act, prohibition of extra billing of injured workers by attending or consulting practitioners should be retained.

13. Recommendation:

That the function of the Claims Advisors be extended to assist dissatisfied employers, workers or dependents to prepare appeals and to assist the applicant at hearings before the Claims Review Committee or Members of the Workers' Compensation Board.

Reason:

The Committee is of the opinion that by extending the function of the Claims Advisors there will be no need for the appointment of Claims and Employers advocates.

14. Recommendation:

- (a) That the definition of "*Independent Operator*" in Section 1.13 be deleted from the Act.
- (b) That the term "*Proprietor*" be inserted and defined in the definition Section of the Act to ensure that there is a clear distinction between a person who is a bona fide "*Proprietor*" and a person who is a "*worker*".
- (c) That the term "*Proprietor*" be utilized throughout Act as required in order to reflect the need for personal coverage of those individuals engaged in an industry in their own right as sole proprietors. Sole proprietors who do not elect to obtain personal coverage, however, be no longer automatically considered to be workers of a principal.

Reason:

The Committee has found evidence of abuse of the clause permitting an independent entrepreneur to obtain protection by way of personal coverage whereby stable employer/employee relationships are being terminated to the detriment of the former employee, who usually chooses minimum personal coverage when forced into an unrealistic sub-contract as illustrated by the following actual cases:

- (a) In the construction of new homes, individuals working exclusively for a principal, as and when needed to carry out pre-occupation cleaning, have been required by the principal to take out coverage as a self-employed person.
- (b) In the construction industry, a person engaged to provide general labour, eg. shovelling sand, being required by the principal to establish an account as a sub-contractor in his own right.
- (c) In the forest industry, a person working under the direction and control of a principal, but supplying only labour and chain saw, being required to establish an account as a sub-contractor in his own right.

This amendment will restore the traditional employer/employee relationship, ensure that compensation benefits are paid to the injured worker in accordance with true earning capacity while retaining the ability to provide coverage by choice to those bona fide self-employed who wish to seek the protection of the Act.

15. Recommendation:

That Section 11 of the Act be reworded to provide that

- (a) The Board may, upon application by a principal, deem all sub-contracted persons performing work for him to be workers of that principal.
- (b) That notwithstanding receipt of application, the Board may where it considers advisable, deem such contracted persons, or certain classes of persons, to be workers of a principal.

Reason:

This amendment will provide flexibility that where such appears right and proper an owner operator who hires assistance may elect to have compensation coverage assessed and paid through the account of the principal to whom he has contracted his unit and labour.

16. Recommendation:

That where personal coverage has been approved it shall remain in force for a minimum period of 30 days unless The Workers' Compensation Board is satisfied that a shorter period should be authorized.

Reason:

This amendment will ensure that there is some minimum period of coverage in effect when a self-employer opens an account and offers his service to a principle, who becomes responsible for payment of the assessment account should it be closed prior to completion of the contract.

17. Recommendation:

That the Alberta Teachers' Association and the Alberta School Trustees' Association be given formal notice that

(a) the present policy of covering some school teachers and not others is a concern.

(b) that the Associations be requested to review with their general membership, the question of whether coverage should be extended to academic teachers or alternatively withdrawn from those non-academic teachers presently covered. The conclusions and recommendations of the membership should be conveyed to the Minister Responsible for Workers' Health, Safety and Compensation prior to September 1, 1981.

Reason:

The Alberta Teachers' Association and the Alberta School Trustees' Association have assured the Committee that the Associations' membership has a better program under private insurance than under Workers' Compensation. Certainly insurance coverage is excellent and does provide comprehensive coverage for disablement due to sickness as well as accident and is in effect 24 hours per day. The Committee has difficulty, however, understanding why school teachers are so reluctant to take advantage of the best of both schemes as their academic counterparts at the universities and provincial colleges have done by accepting coverage under the Act and modifying their insurance to retain off duty coverage. This has resulted in qualification for the long term benefits and rehabilitation programs provided by the Act which are second to none, with reduced personal contribution.

18. Recommendation:

That Section 1.10 of the Act be amended to encompass agency situations in a master servant relationship.

Reason:

The present definition of "*employer*" is not broad enough to make provision for situations where an agency requires to be placed in "*Locus Standi*" for an employer. For example, in the case of some unions willing to act as the agent for transient employers as in the case of the Theatrical Workers' Union.

19. Recommendation:

That the definition of "*learner*" as defined in Sub-Section 1.16 be amended to include a person undergoing "*testing*" as a pre-requisite to employment.

Reason:

This amendment will provide protection of the Act to employers and workers where testing is a requirement prior to hiring such as an applicant for a position of fire fighter undergoing physical stamina and agility exercises.

20. Recommendation:

That Section 10 of the Act be amended to include partnerships.

Reason:

This will ensure that members of a partnership also have the right to choose to be covered, or not covered, under the Act.

21. Recommendation:

That a clause be incorporated into the Act to provide, when required, for the issuance of a certificate evidencing the decision of the Board made on a claim or assessment matter.

Reason:

There are occasions, such as a court action, where an official certificate confirming a decision of the Board is required. This amendment will give the legal authority to provide such.

22. Recommendation:

That Section 13 (3) of the Act be amended to clearly indicate that in procedure no formal hearing of an application by the Board is necessary and that its adjudication can be made as an ordering or regular procedure.

Reason:

It is the practise of the Board's legal staff to make a determination as to whether a right of action does or does not exist with regard to reported accidents. This amendment will endorse this practise and make it clear that every such matter does not require formal consideration by the Members of the Board.

23. Recommendation:

That Section 15 be combined with Section 13 in order to better illustrate the types of actions that are prohibited under the Act.

Reason:

This is just a housekeeping amendment for the sake of clarification.

24. Recommendation:

That Section 14 of the Act be amended to provide that the Board has the authority to set the scale of fees that shall be paid for legal services and that the amounts of this scale shall be detailed in the General Regulations to the Act.

Reason:

The Board presently sets the scale of fees to be paid to a worker's legal representative on completion of a third party action. This is done by way of an internal directive.

Inclusion in the General Regulations will cause the scale to be published while retaining ease of review.

25. Recommendation:

That Section 16 (1) be reworded for clarification of its intent.

Reason:

Because of its grammatical construction, the intent of this Section is not easily understood. Rewording for clarification of its intent is desirable.

26. Recommendation:

That Section 16 (8), (9), (10), (11) and (11.1) of the Act be reworded and/or combined to reflect that:

- (a) A claim must be made to the Board by an injured worker within one year of the happening of an accident or by a dependent within one year of the death of a worker, unless

- (b) The Board finds good reason to waive the specified time limit.

Reason:

These Sub-Sections can and should be consolidated to clarify intent.

27. Recommendation:

That the penalties prescribed in Section 19(4) of the Act be increased to read \$100 and \$500 respectively.

Reason:

The existing penalties of \$10.00 per day to a maximum of \$50.00 are no longer realistic.

28. Recommendation:

That Section 35 of the Act be reworded to reflect that non-resident dependents may be paid compensation awards at the discretion of the Board and that such awards not exceed like compensation payable to a resident dependent.

Reason:

Section 35 (1) reflects outdated and unrealistic policies.

This amendment will provide the Board with the authority to award compensation to dependents resident outside Canada as the merits of the particular case indicate.

29. Recommendation:

That Section 37 (2.1) of the Act be reworded to reflect that the amounts prescribed for burial and transportation costs be transferred from the Act and be incorporated in its General Regulations.

Reason:

The existing Section is complicated and can cause inequity.

It should be reworded to provide basic authority to pay related burial and transportation costs with the amount set by regulation which can be more easily amended to reflect pertinent current costs.

30. Recommendation:

That Section 37 (4) be amended as necessary to fulfill the intent of the Act or the policies of the Board to compensate equitably those persons whom it considers qualify as a dependent child's caretaker.

The amendment should also provide that payment to the caretaker may be restricted to the equivalent of the pecuniary amount provided by the deceased worker.

Reason:

There are occasions where a dependent child is not in the care of a dependent spouse or foster mother. If the child's caretaker was in receipt of a care allowance, the Act does not specifically provide for replacement of such. This amendment will permit payment at the discretion of the Board.

31. Recommendation:

That Sub-Section 39 (3) of the Act be deleted.

Reason:

This Section is now redundant as there are no longer any children to which the provision would apply.

32. Recommendation:

That the word "*equally*" be deleted from Sub-Section 41(1) of the Act.

Reason:

Section 41 (1) provides that the capitalized cost of fatal accident be apportioned annually in equal amounts to the cost experience of the employers concerned. The costs of the pensions vary considerably from class to class and this amendment will permit consideration of the costs on a class basis if such appears equitable.

33. Recommendation:

That Section 43 of the Act be amended to provide specific authority to assess disability awards relating to permanent non-anatomical injuries.

Reason:

The Board has been faced with situations where a worker is involved in an accident which causes severe psychological trauma and results in permanent earnings loss through inability to return to the pre-accident occupation.

34. Recommendation:

That the phrase "*about the face or head*" be removed from Sub-Section 43 (4) of the Act.

Reason:

Section 43 (4) in part provides that compensation may be paid in recognition of permanent disfigurement about the face and it is the opinion of your Committee that consideration should also be given to such permanent injury to other parts of the body.

35. Recommendation:

That Section 44 and 44.1 be consolidated and reworded to clarify intent.

Reason:

These Sections provide that compensation rates may be updated in recognition of increased earning capability in cases of old claims being reopened and, in long term disability claims, upgraded in accordance with periodic legislative cost of living increases. Your Committee finds, however, that the present wording tends to be somewhat confusing and that clarification is indicated.

36. Recommendation:

That Section 46 of the Act be revised to allow payment of a temporary partial disability award on the basis of established wage loss where such exceeds the assessed physical disability.

Reason:

Section 46 presently provides that in cases where temporary partial disability exists that payment be based upon medical assessment of the degree of residual physical disability. There are cases, however, where the assessed degree of partial disability covers less than 75% of the resulting wage loss. This amendment will give the Board authority to recognize wage loss where such is not consistent with the medical assessment.

37. Recommendation:

That Sub-Section 49 (3) of the Act be deleted.

Reason:

This Sub-Section permits payment of pension awards semi-monthly. The Board's system of monthly issue is consistent with general practice and Sub-Section 49 (3) has been redundant for some time.

38. Recommendation:

That Sub-Section 49 (6) be reworded to reflect the intent that its provisions apply to all apprentices including those beyond age eighteen years.

Reason:

It has long been the intent of the Act that an apprentice, who becomes entitled to compensation as the result of an accident sustained during his apprenticeship, shall receive an adjustment upon trade qualification to reflect the earnings of a journeyman. Under present day circumstances people entering training or apprenticeship programs at any age and this amendment will acknowledge this fact.

39. Recommendation:

That Section 52 of the Act be reworded to indicate that the amount prescribed for clothing allowance be removed from the Act and be included in its General Regulations.

Reason:

Provision is made for payment of an allowance for replacement of clothing damaged or worn as the result of wearing a prosthesis or appliance. Placing the amount of such allowance in the General Regulations will permit ease of review.

40. Recommendation:

That Sub-Section 56 (6) be amended to provide that a worker be reimbursed in the amount of his actual net wage loss.

Reason:

The administration of claims requires, in some cases, that workers who have returned to employment be called to an office of the Board for such purpose as medical examination. This can result in a net wage loss higher than compensation at an old rate. This amendment will ensure equitable recompense.

41. Recommendation:

That Section 53 be amended to make clear that periodic legislative increases do not apply to pension awards

(a) paid by way of a lump sum

(b) where the award has been paid partially by lump sum and currently by way of partial monthly payment, to that portion not paid by way of previous lump sum.

Reason:

Legislative increases have not been applied to pension awards paid by lump sum or to any portion paid by lump sum. This amendment will confirm that practice.

42. Recommendation:

That the words "*by way of overdraft*" be deleted from Sub-Section 61 (2) of the Act.

Reason:

This is a "*housekeeping*" amendment to reflect current financial procedures.

43. Recommendation:

That Sub-Section 67 (2) be amended to allow the Board the authority to establish a value of service for anyone rendering a service to an organization, be it a partnership, corporation or proprietorship.

Reason:

This Section as it presently stands allows the Board to establish for assessment purposes a value of service for every person, other than a director of a corporation, rendering a service to a corporation. The amendment will permit valuation of services for all covered, where actual remuneration is not clear.

44. Recommendation:

That Sub-Section 68 (5) be amended to permit the Board to take possession, extract or copy any records required for the Board's purposes.

Reason:

That Sub-Section presently allows examination of the records of an employer but does not provide for use, extraction or copy.

45. Recommendation:

That the confidentiality and privilege of information provisions of Sub-Sections 68 (12), (13) and (14) be relocated under the "General" Part 9 of the Act to more adequately reflect their intent.

Reason:

These Sub-Sections all relate to declaration of a general intent and application regarding the question of confidentiality of records or other privileged information to which the Board and its staff may have access.

46. Recommendation:

That Sub-Section 78 (6) and (7) be amended to provide that where the obvious intent of "*selling transaction*" is to defeat creditors, that such transactions be deemed by the Board not to be at "*arms length*" and therefore void.

Reason:

These Sub-Sections provide that an assessment owing by a business may be transferred to the new owner when the equipment or stock used in the business is sold in bulk. Situations can arise where assets in one business can be "*sold*" to another business and the relationship between the two companies is not at arms length.

47. Recommendation:

That Sub-Section 9 (2) of the Act be added to the list of Sections under Section 86 not considered a regulation under The Regulations Act.

Reason:

Section 86 contains the "*order ruling*" or "*direction*" sections of the Act which do not require publication in the Alberta Gazettes or Order In Council to validate them. Sub-Section 9 (2) is an "*order ruling*" section and should for consistency be included.

48. Recommendation:

That the penalties contained in Sub-Sections 91 (1) and (2) of the Act be increased to \$100 and \$500 respectively.

Reason:

Sub-Sections 92 (1) and (2) provide a general penalty for contravention of the Act. The amounts currently specified, \$25.00 and \$100 maximum are unrealistically low in the light of inflationary trend.

49. Recommendation:

That Sub-Section 92 (4) of the Act be amended to allow for prosecution to be initiated with the authorization of the Board generally.

Reason:

This Sub-Section presently requires that the Board appoint a specific person to institute prosecution proceedings for contravention of the Act. This has, on occasion, proved to be a stumbling block that this amendment will remove.

50. Recommendation:

That the General Regulations to The Workers' Compensation Act be rescinded and rewritten to reflect legislative changes resulting from the recommendations contained in this report.

Reason:

Approval of the Committee's recommendations will cause the present Regulations to be, in part, outdated.

OCCUPATIONAL HEALTH AND SAFETY

(i) The Prevention of Injuries and Ill Health

The Select Committee is seriously concerned about the increasing number of work related injuries and cases of ill health reported to the Workers' Compensation Board in recent years. It further noted that these increases were apparent in all jurisdictions throughout Canada.

The Committee has noted recent developments in Alberta in response to this concern and the much increased interest in safer workplaces and healthful working conditions. The legislation on occupational health and safety was strengthened with the enactment of the Occupational Health and Safety Act in 1976 which consolidated the fragmented legislation and administration into one central body and increased the public resources to administer the Act and Regulations more effectively.

The rapid growth which characterised Alberta's economy in the 1970's is projected to continue through the 1980's. Accompanying the economic boom has been an upsurge in the provincial labour force. Concurrent with the increase in labour force there has been a comparative increase in claims reported to the Workers' Compensation Board.

Industrial accidents place an enormous burden on the province's economy and human resources. Compensation benefits to injured workers in Alberta amount to over \$100,000 each working day. Indirect costs of these accidents are projected to over \$400,000 per working day. In addition to the economic costs are those incalculable costs related in human terms.

In Alberta during 1976-78 a total of some 90,000 occupational accidents occurred with disablement resulting in an absence of more than three working days from that work at which the worker was employed. Among these were 1,460 permanent disabilities and 299 accepted fatal claims.

The Committee believes that greater attention must be directed towards those situations and working conditions that lead to, or have the potential to lead to, serious and disabling injuries.

In February 1980 the Committee reviewed accident prevention programs in three European countries - the Federal Republic of Germany, Sweden and the United Kingdom where innovative and different approaches had been brought to its attention. The Committee benefited from first hand discussions with government, industry and labour representatives and in particular noted the efforts in these countries towards industrial accident prevention and occupational health.

In each country the Committee was given ample evidence of the considerable emphasis placed on the preventive measures, albeit by different methods and approaches. Particularly impressive was the apparent success of the programs in the Federal Republic of Germany. Data on injuries in North Rhine-Westphalia was provided to the Committee showing an overall decrease in injuries (i.e. of three days or more duration) of 46.6% over the period 1965-78, while industrial fatalities decreased by 52.3% over the same period. Similar decreases in work related injuries for the whole Federal Republic were noted (31.6% over the period 1965 - 78).

Injuries can and must be prevented. This will only be achieved by ensuring that each work site organizes its health and safety so effectively that it can identify and control those activities which produce injury and ill health.

Considerable improvements have been made towards improving health and safety standards at workplaces in Alberta over recent years, but the costs to society in human suffering and productivity loss as indicated in injury and illness statistics, remain unacceptably high. Much still needs to be done.

(ii) Worker Participation in Work Site Health and Safety

The Committee was very impressed with the systems in Europe which enable the workers to select representatives who are involved with the employers in health and safety issues.

The Committee recognizes that workers have the right and responsibility to be involved in the determination of health and safety policies and programs at their place of work and be provided representation in a meaningful process to achieve this.

In studies undertaken by the accident prevention advisory unit of the Health and Safety Executive of the United Kingdom, the unit reported

"There was quite a striking difference between the best and worst cases (of health and safety performance) as to how management treated their employees as a partnership in a common approach to solving this problem. In the better companies information was freely given and policies were actively pursued which were aimed at the involvement of the workers' representatives and the workers themselves".

("Success and Failure in Accident Prevention", H.M.S.O., 1976)

Co-operation between employers and workers provides the mechanism for resolving health and safety issues by making the best use of the experiences of both management and workers.

"The maintenance of a safe and health environment at work first necessitates a continuing effort on behalf of both the worker and the employer. To a large extent we believe it is almost entirely dependent on the willingness and abilities of employees and employers to understand and solve problems together. The (Industrial Health and Safety) Commission does not subscribe to the argument that management has the exclusive responsibility for safety at work but rather we believe that the responsibility is a shared one".

(Report of the Alberta Industrial Health and Safety Commission, 1975).

The present Alberta program of joint work site health and safety committees provides a good system for co-operation in medium and large workplaces and the Committee endorses this approach. However, in any system where workers are to have joint responsibility and to be ultimately accountable for their own safety and that of co-workers, then it follows that they must have an effective voice in determining policies and programs that affect them at all workplaces.

The Committee particularly noted the organization of safety in Sweden and the Federal Republic of Germany. The cornerstone of their systems is the provision through legislation of appointed safety delegates or safety stewards.

Safety delegates have existed in Swedish workplaces for many years. Gradually the tasks and powers of safety delegates have been established and strengthened through legislation. Safety delegates must be appointed from among the workers at workplaces where more than five workers are employed. Safety delegates can also be appointed in smaller workplaces where conditions warrant their appointment. The duties of safety delegates include the power to participate in planning, to inspect documents material to health and safety activities and to generally represent the workers on health and safety matters. If a particular job involves immediate and serious danger to the life or health of a worker and if no immediate remedy can be obtained through representation to the employer, the safety delegate may order the suspension of work on that job pending a decision by the government inspector.

In the Federal Republic of Germany, at all workplaces where twenty or more workers are employed, the employer must appoint one or more safety stewards with duties similar to those described for the safety delegates in Sweden. In addition to the safety steward the elected Works Council has an important role to play in work site safety. This role of Works Council has been anchored in legislation. The Works Constitution Act invests the Works Council with rights and responsibilities which allow it to participate as a partner with the employer in matters pertaining to worker health and safety.

The Select Committee recommends to the Legislature that serious consideration be given to the feasibility of establishing a system of safety delegates or safety stewards at workplaces in Alberta.

(iii) Safety Policies

It is apparent that high standards of safety and health are more likely to be achieved where there is an integrated and planned application of all elements of a safety and health program including adherence to standards, supervision, training and joint consultation. As a first step in this process a blue print or policy statement is necessary whereby the employer clearly defines the objectives to be met in health and safety at the workplace together with the organization and arrangements for meeting those objectives.

Society has a higher expectation that the whole range of injuries, ill health and downgrading incidents are preventable and that arguments based on technical difficulties or financial constraints are no longer acceptable. Indeed for the majority of employers in Alberta the prevention of injuries does not require high levels of expenditure. The majority of injuries and ill health conditions result from simple omissions eg. good housekeeping, proper instructions and training to employees, adequate work supervision and maintenance of existing preventive measures. Substantial, though not necessarily quantifiable benefits, can be obtained at modest costs by addressing these areas appropriately.

Work site health and safety is not an "*extra*" in a business operation but is an integral part along with production, sales, quality control and profits and should exist at all levels throughout the company. It must be the direct and continuing concern and responsibility of management and workers alike. Workers have the right and duty to participate in the development of health and safety at their workplace consistent with the highest standards attainable in their particular conditions.

The Committee recommends that every employer set forth a clearly defined safety policy in consultation with safety representatives of the workers at his workplace. The policy must also specify the methods by which the policy will be effected.

(iv) Farm Safety

The high incidence of farm related injuries and deaths in this province is a matter of serious concern to the Committee.

Therefore the Committee recommends that serious discussions be undertaken immediately between the appropriate government departments, farmers, agricultural organizations and all other interested parties towards establishing suitable accident and disease prevention programs in this industry.

(v) Occupational Health

Occupational health is not only the avoidance of injury or disease arising from the work environment, but also includes the promotion of physical and mental well being. Other facets include the adaption of work to human aptitudes and the development and maintenance of a high level of awareness by workers, employers and health care personnel of occupational health and safety hazards.

At the present time there is limited legislation in Alberta which requires occupational health monitoring to be provided for certain categories of workers. In addition, some of the larger companies provide services to varying degrees. However, the majority of workers are employed at small work sites and are unable to be provided with occupational health care.

The problems of establishing effective occupational health programs are common to all countries. Among these are:

- (a) an inadequate supply of trained occupational health personnel;
- (b) the lack of suitable systems for the provision of occupational health care to workers at small and scattered work sites;

- (c) the high costs involved in establishing and maintaining adequate and comprehensive services;
- (d) the comparative lack of knowledge on health risks to which workers are or may be exposed;
- (e) the under recognition and reporting of work related health problems.

The Committee is impressed by the determined attempts to overcome these problems in some other programs it has reviewed. In other countries large employers with 1,000 or more workers have established well developed health services. Small and medium sized employers have joined together to establish regional occupational health centres.

In spite of these interesting provisions adequate occupational health care is still beyond the reach of a large proportion of workers. A dearth of trained personnel is most commonly cited as the reason for this.

The Committee feels strongly that occupational health must be addressed as a major issue as industry increases and diversifies in this province. Technologies and processes new to Alberta introduce greater opportunities for working conditions to influence the health and well being of workers. Means of developing occupational health services must be considered a priority for the Minister responsible for Workers' Health, Safety and Compensation.

Considerable progress in researching and developing educational programs in occupational health and safety has been made since the report of the Gale Commission. Many of these programs are still in the discussion stages and should receive high priority and support from the parties involved. It is important that the schools of medicine, nursing and engineering reassess and redefine their responsibilities to their respective professions, to ensure that those graduating from the programs are more aware of, and responsive to, the effects of the technologies and practices of the work environment upon the health and safety of workers.

The Committee recommends that government give priority to the establishment and accreditation of training and qualifications for those who practice in the field of occupational health and safety.

(vi) Information on Hazards

We cannot expect workers to use hazardous or toxic chemicals safely unless they are fully informed of their effects and precautions they must adopt. The worker has a right in natural justice to be informed on these matters. At the present time there are few appropriate mechanisms in place to provide this information.

The newly formed Canadian Centre for Occupational Health and Safety in Hamilton, Ontario will hopefully create a focal point, incorporating computer-based retrieval systems for information on chemical substances. Such summarized data will be available to the Occupational Health and Safety Division and to individual places of work and their agencies.

We would strongly urge all employers to utilize this facility whether or not the disclosure of such information may be incorporated in legislation. However, it should be realized that information can only be provided in those areas where such information is available. The lack of information on many chemicals used in the workplace places a high demand for research in this area. When information is available it needs to be evaluated and interpreted carefully, particularly with regard to its local usage at the work site. We believe that the Occupational Health and Safety Division should place a high priority on this assistance to workers and employers.

It will, however, take several years to provide the information services envisaged for the Centre. In the meantime, inventories of hazardous chemicals are being prepared by several government departments and industrial associations in the province.

The Committee has a major concern regarding the potential risks relating to the presence and use of proven or suspected carcinogens, teratogens and mutagens at workplaces.

Strict regulations must be enforced to protect those persons currently or potentially exposed and also future generations. High priority must be given to classifying and cataloguing the existence of such substances and to clearly informing those exposed, of the risks involved and the precautions necessary.

The Committee recommends that information systems on hazardous chemicals within the Province should be pooled, and that the Occupational Health and Safety Division should act as the clearing house to whom questions regarding chemicals at use in the workplace can be referred for answer.

(viii) Record Keeping

The Committee has noted that it has proven impossible to identify workers at risk of the effects of hazardous materials and chemicals or to link occupational records to potential or proven effects to any substantial degree. The identification of those at risk is an absolute necessity in the design and operation of preventive programs.

The Committee refers to the recommendations of the Gale Commission that the Occupational Health and Safety Division maintain a register of the names of workers and workplaces who are at a known or suspected health risk by virtue of their work.

This register should contain the name of the worker, the duration of employment with each employer, the nature of the health risk, the frequency and nature of the health care the worker has received and the location of the work site(s) at which the worker is exposed to the health risk. We have not seen this recommendation effected to the state necessary to alert employers, workers or the Division and provide the linkages necessary to identify cause and effect relationships. We recommend that the required steps for this action be taken immediately by all concerned.

(viii) Liaison - Minister and Agencies

We have earlier in this report recommended that future Select Committees be charged to conduct a combined review of workers' compensation and occupational health and safety.

The Committee believes that matters of compensation and prevention to be inextricably interwoven. This is applicable also to the roles of the two agencies concerned, the Workers' Compensation Board and the Division of Occupational Health and Safety. Both now report to the Minister Responsible for Workers' Health, Safety and Compensation.

The Committee recommends that discussion take place between senior staff of the Board and Division under the chairmanship of the Minister pertaining to:

1. the review of procedures for reporting of injuries and diseases with a view of establishing more complete data on the causal sequence of events leading to injuries and diseases, and establishing a firm statistical basis for the analysis and measurement of risks for the purpose of facilitating the establishment and evaluation of preventive programs;
2. the provision of resources for joint research and evaluation in prevention and rehabilitation;
3. the closer integration of communications and promotion facilities within both agencies; and
4. the regular review of the functions and activities of both agencies.

PART VI

(i)

ACKNOWLEDGEMENTS

The Committee expresses its thanks to all those who made submissions, written and oral, and to those who assisted in research and provision of information. The Committee found this participation to be of the utmost value in preparation of its report.

APPENDIX "A"

CLAIMS REPORTED

<u>Year</u>	<u>Medical Aid Only Payable</u>	<u>Less Than Three Days Lost Time*</u>	<u>Total Claims</u>
1977	61,250	7,243	109,131
1978	64,908	7,422	122,222
1979	76,857	8,370	142,219

** Including the Day of Accident*

PERCENTAGE OF GROSS EARNINGS PRESENTLY PAID
DURING PERIODS OF TOTAL DISABILITY

\$ 6,120	- 100%
8,160	- 75%
18,250	- 68%
20,000	- 55%
25,000	- 46%
30,000	- 39%
35,000	-



ANNUAL GROSS EARNINGS \$ x 1000

APPENDIX "C"

INDUSTRIES REPORTING AVERAGE ANNUAL WAGES
OF WORKERS INJURED DURING 1979 THAT EXCEEDED
THE MAXIMUM ASSESSABLE EARNINGS OF \$18,250

CLASS	INDUSTRY	AVERAGE WAGES
1-01	Coal Mining - Underground	\$19,023.28
1-02	Coal Mining - Strip	20,284.61
3-01	Logging and Related Products	21,382.22
4-02	Seismic, Geographical Exploration	20,057.79
4-03	Drilling or Servicing of Gas or Oil Wells	25,608.40
4-06	Special Operations and Servicing of Gas or Oil Wells	18,580.59
6-01	Construction of Buildings or Plants and Related Industries	19,968.11
6-02	Plumbing, Gas Fitting, Air Conditioning, etc.	19,540.54
6-03	Drywall, Painting and Decorating Insulating	20,498.40
6-04	Masonry, Brick and Concrete Block Laying	21,801.45
6-05	Roofing	18,532.09
6-06	Electric Wiring and Industrial Servicing	18,314.14
6-07	Highway and Railroad Construction	28,687.98
6-09	Construction and Removal of Power and Telegraph Lines	20,124.01
16-01	Operation of Public Utilities	18,878.32

All other industries reporting assessable payrolls indicated
average earnings below the maximum.

APPENDIX "D"

COST OF MEDICAL SERVICES - 1979

Payments Which Could Be Covered By A.H.C.I.C.

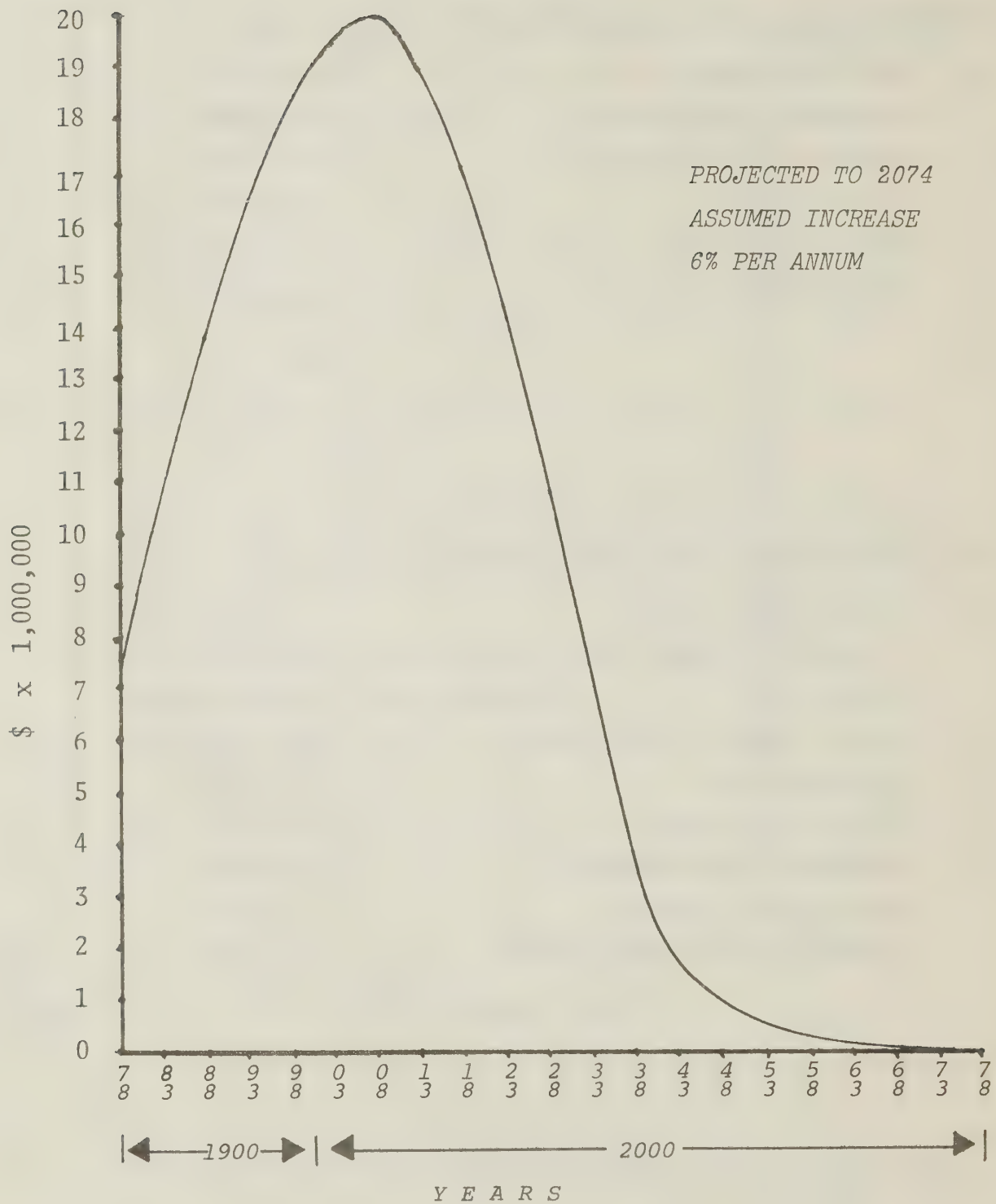
Physicians fees	\$5,224,000	
Hospitals (Out-patients)	1,110,000	
Hospitals (In-patients)	6,576,000	
Chiropractors	744,000	
Physiotherapists	666,000	
Optometrists	<u>272,000</u>	\$14,592,000

Other Medical Aid Related Payments

Drugs, prescriptions	\$ 228,000	
Physicians Report fees	125,000	
Dental Fees	340,000	
W.C.B. Rehabilitation Centre	2,400,000	
Ambulance fees	152,000	
Special appliances	560,000	
Personal Care Allowances	228,000	
Home Care Allowances	14,000	
Rehabilitation Centre X-Rays	<u>40,000</u>	<u>\$ 4,087,000</u>
TOTAL PAYMENTS		<u>\$18,679,000</u>

N.B. The figures contained in this Appendix are subject to final audit.

FUTURE GOVERNMENT LIABILITY FOR FUNDING
INCREASES OF PENSIONS AWARDED IN REGARD
TO ACCIDENTS OCCURRING PRIOR TO
1 JANUARY 1974



APPENDIX "F"

LIST OF INDIVIDUALS, AGENCIES AND ASSOCIATIONS
WHO MADE SUBMISSTIONS

Advisory Committee	Edmonton
Alberta Association of Registered Nursing Assistants	Edmonton
Alberta Cattle Feeders Association	Calgary
Alberta Chiropractic Association	Red Deer
Alberta Construction Association	Edmonton
Alberta Federation of Labour	Edmonton
Alberta Fire Fighters Association	Calgary
Alberta Forest Products Association	Edmonton
Alberta Funeral Services	Westlock
Alberta Medical Association	Edmonton
Alberta Mine Safety Association	Calgary
Alberta Packers Safety Council	Edmonton
Alberta Petro-Chemical Safety Council	Edmonton
Alberta Roadbuilders Association	Edmonton
Alberta School Trustees Association	Edmonton
Alberta Teachers' Association	Edmonton
Al's Flower Delivery	Calgary
Amalgamated Transit Union	Calgary
Association of Oilfield Contractors	Calgary
Bell, Mr. G. Douglas	Calgary
Brookbank, Mr. Richard	Edmonton
Bow City Delivery Ltd.	Calgary
Building Materials Safety Council	Edmonton
Building Products of Canada Limited	Edmonton
CAIMAW, Local 2	Blairmore
Calgary Board of Education	Calgary
Calgary Chamber of Commerce	Calgary
Calgary Labour Council	Calgary
Canadian Association for Independence in Medicine	Edmonton
Canadian Association of Industrial, Mechanical & Allied Workers	Burnaby, B.C.
Canadian Corps of Commissionaires	Calgary
Canadian Manufacturers' Association	Edmonton
Canadian National Railways	Edmonton
Canadian Union of Postal Workers	Edmonton
C.A.O.D.C.	Calgary
Cardinal River Coals Ltd.	Hinton
City of Calgary	Calgary
City of Edmonton	Edmonton

College of Physicians and Surgeons	Edmonton
CONMAC	Calgary
Consolidated Concrete Limited	Calgary
Construction & General Workers' Local Union No. 1111	
Laborers Int. Union of N.A.	Calgary
Datacom Accounting Services Ltd.	Slave Lake
Department of Occupational Health and Safety	Edmonton
Dunford, Mr. Clint E.	Lethbridge
Edmonton Chamber of Commerce	Edmonton
Engel, Mr. Tom	Edmonton
Fairview Agricultural College	Fairview
Farm Equipment Dealer's Association	Calgary
Fawcett, Mr. G. F.	Calgary
Field, Mr. Ray G.	Edmonton
Finch, Ms. Thelma B.	Calgary
Green Valley Engineering	Peace River
Herzog, Mr. Harry H.	Settler
Holy Cross Hospital of Calgary	Calgary
Industrial Equipment Co. Ltd.	Vancouver, B.C.
Insulation & Asbestos Workers Union Local No. 126	Calgary
J. K. Campbell & Associates Ltd.	Edmonton
Johnson Brothers Sawmills Ltd.	Cowley
L and B Developments Ltd.	Lloydminster
Lassiter Construction Limited	St. Albert
Lemko Industries Ltd.	Red Deer
Lloyd's Small Engine	Leduc
Meyer, Mr. Jack L.	Calgary
McIntyre Mines Ltd.	Grande Cache
Mortimer-Rae, Mr. P.	Calgary
North Canadian Forest Industries Ltd.	Grande Prairie
Northern Alberta Railways Company	Edmonton
Oborne's Forest Products Ltd.	Cremona
Occupational Health & Safety Council	Edmonton
Paillard Trucking Ltd.	Airdrie
Porter, Mr. W. C.	Sherwood Park
Proctor and Gamble Cellulose Ltd.	Grande Prairie
Rainbow Holdings Calgary Ltd.	Calgary
Redden Construction Ltd.	Edmonton
Reliable Painter	Edmonton
Rockyview Hospital	Calgary
Sandstra Transport	Red Deer
St. Regis (Alberta) Ltd.	Hinton
Scott, Mr. Elmer M.	Calgary
Sil Silica Ltd.	Edmonton
Smith, Mr. F. C.	Calgary
Stelco	Edmonton
Swift Canadian Co. Ltd.	Lethbridge

Tait, Mr. Cliff
Task Homes Ltd.
Trend Floor Centre Ltd.
Unifarm
United Mine Workers of America District #18
Van Heake, Mr. Albert
Veteran Tranfer Ltd.
Webster, Mr. G. W.
Wiebe Forest Group Ltd.
Wilson, Mr. Lyle G.
Workers' Compensation Board

Edmonton
Edmonton
Edmonton
Edmonton
Calgary
Sherwood Park
Edmonton
Calgary
Calgary
Calgary
Rocky Mountain House
Edmonton

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